

### 3. REVISIONS TO THE DRAFT EIR

The following section includes all revisions to the Draft EIR made in response to comments received during the Draft EIR public review period. All text revisions are indicated by an "r" in the left margin next to the revised line. All of the revised pages supersede the corresponding pages in the March 2003 Draft EIR. None of the criteria listed in *CEQA Guidelines* section 15088.5 (Recirculation of an EIR Prior to Certification) indicting the need for recirculation of the March 2003 Draft EIR has been met as a result of the revisions which follow. In particular:

- no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- no substantial increase in the severity of an environmental impact has been identified; and
- no additional feasible project alternative or mitigation measure considerably different from others previously analyzed in the Draft EIR has been identified that would clearly lessen the significant environmental impacts of the project.

---

## 1. INTRODUCTION

---

### 1.1 EIR PURPOSE AND INTENDED USE

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, this **environmental impact report** (EIR) has been prepared by the City of Sunnyvale to provide a consolidated document describing the environmental consequences of a City-proposed Downtown Improvement Program Update project, comprised of a set of actions to maintain, update and expand the City's current Downtown Improvement Program.

Over the past decade, the City of Sunnyvale has been undertaking a Downtown Improvement Program to facilitate re-establishment and revitalization of the City's original central area. The program has consisted of a number of City-adopted, interrelated planning and redevelopment components, including the Sunnyvale Downtown Specific Plan (adopted in 1993), associated Zoning Code provisions (Downtown Specific Plan District), the Murphy Avenue Design Guidelines (1994), and the Sunnyvale Downtown Redevelopment Plan (originally adopted in 1975, last amended in 1993).

The City is now proposing to update its Downtown Improvement Program in response to the changing marketplace and the City's experience in implementing the 1993 Downtown Specific Plan over the past approximately ten years.<sup>1</sup> To provide a "blueprint" for the proposed update, the Sunnyvale City Council in April 2002 approved in concept a new *City of Sunnyvale Downtown Design Plan* that calls for retaining the basic downtown revitalization concepts of the 1993 Specific Plan, but with various land use and development standard revisions, downtown design guideline revisions, new circulation and parking recommendations, and revised streetscape design standards, all formulated to create and maintain "an enhanced, traditional downtown serving the community with a variety of destinations in a pedestrian-friendly environment."<sup>2</sup>

In addition to the approximately 125-acre *Downtown Design Plan* portion of the downtown area, the total project area also includes three adjacent areas--an approximately 5-acre area north of Evelyn Avenue (between Evelyn Avenue and the CalTrain tracks), an approximately 3-acre area east of Bayview Avenue ("eastern adjacent sites"), and an approximately 15-acre

---

<sup>1</sup>ELS Architecture and Urban Design, *The City of Sunnyvale Downtown Design Plan*, August 2002, Letter of Transmittal from Joseph Antuzzi, Chairman, Downtown Stakeholders Advisory Committee; March 26, 2002.

<sup>2</sup>Ibid.

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation

paving, etc.) do not adequately incorporate these *Downtown Design Plan*-recommended standards and guidelines, and urban design guidelines set forth in the 1993 *Downtown Specific Plan* for tall buildings on Mathilda, the project could result in a **significant adverse visual impact**.

- the "Building Setback/Build-to Requirements" on pages 56-57, and
- the "Design Guidelines" for the "Mathilda Avenue District" on pages 72-77; and

(b) includes features (e.g., common landscaping, street furniture, sidewalk and pavement treatments) that visually unify the development frontage on the eastern side of Mathilda with the western side of Mathilda;

Implementation of these measures through the City's existing design review process would reduce this impact to a ***less-than-significant level***.

**Impact 5-2: Light and Glare Impacts.** The project would be expected to facilitate (permit) construction of five-to-six-story (100- foot) maximum height structures along the east side of Mathilda Avenue and within the North of Washington District. Such buildings could include nighttime exterior illumination features. These exterior lighting features would be introduced in a downtown area that is already urbanized, with an abundance of existing

**Mitigation 5-2:** In addition to required compliance with lighting controls set forth in Sunnyvale Municipal Code section 19.42.050, include in the conditions of approval for any individual downtown construction project involving building heights of greater than 50 feet, a prohibition on exterior illumination of any building element above 50 feet after 10:00 PM, every day, or establish this requirement by ordinance for the entire project area.

City LS

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
lights. Future proposed individual developments within the project area would also be required to comply with existing lighting controls set forth in the Sunnyvale Municipal Code section 19.42.050, which states that " <i>Lights, spotlights, floodlights, reflectors, and other means of illumination shall be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property.</i> " Nevertheless, exterior lighting features above the 50-foot elevation on the permitted five-to-six story buildings along Mathilda, including exterior building illumination and illuminated signage, could be prominently visible at night and represent a noticeable visual distraction in views from surrounding driving routes and from surrounding residential areas. Such effects could represent a <b>significant adverse visual impact</b> .		Implementation and enforcement of this measure would reduce this impact to a <b>less-than-significant level</b> .		
<b>TRANSPORTATION AND PARKING</b>				
<b>Impact 7-1: Impacts on Freeway Segments (Project Conditions).</b> The 2020 Project Conditions scenario (Scenario 2)--i.e., the addition of project-related traffic to the anticipated	S	<b>Mitigation 7-1.</b> Provision of one additional travel lane along these ten freeway segments would reduce impacts due to the project-related traffic increment to a less-than-significant level.	City	LS

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
2020 No Project scenario (Scenario 2)--would result in significant impacts on the following ten freeway segments:				
<ul style="list-style-type: none"> <li>U.S. 101 northbound between SR 85 and Shoreline Boulevard in the AM peak hour;</li> <li>U.S. 101 southbound between Lawrence Expressway and Bowers Avenue in the PM peak hour;</li> <li>U.S. 101 southbound north of Shoreline Boulevard in the PM peak hour;</li> <li>SR 85 northbound between El Camino Real and SR 237 in the AM peak hour;</li> <li>SR 85 northbound north of the Central Expressway in the AM peak hour;</li> <li>SR 85 southbound between Central Expressway and SR 237 in the PM peak hour;</li> <li>SR 85 southbound between SR 237 and El Camino Real in the PM peak hour;</li> <li>SR 85 southbound between El Camino Real and Fremont Avenue in the PM peak hour;</li> </ul>	<p>r</p> <p>r</p> <p>r</p> <p>r</p> <p>r</p> <p>r</p> <p>r</p> <p>r</p>	<p>However, widening of these freeway segments would require additional right of way acquisition impacts and other costs significantly greater than current funding constraints for freeway expansion in Santa Clara County, and is therefore considered infeasible. In anticipation of such freeway impacts, and consistent with State law, the Santa Clara Valley Transportation Authority (VTA) is currently preparing a <u>Countywide Deficiency Plan</u> which will identify offsetting improvements and other mitigation measures for CMP freeway impacts on a regional basis, and associated local roles and mechanisms for implementing these improvements. The VTA, in conjunction with its Countywide Deficiency planning program, is also undertaking freeway corridor studies of Routes 237, 85, and 101 which will identify improvements for programming of anticipated State, Federal, and regional transportation funds. These funds are identified as "constrained" in VTA's <i>Valley Transportation Plan 2020</i> (the regional transportation plan for Santa Clara County), meaning that there is a reasonable likelihood of receiving funds and constructing improvements within the lifetime of the project (the updated Downtown Improvement Program). The VTP 2020 is updated every three years to assure that improvement and funding assumptions remain current. However, given the</p>		

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<ul style="list-style-type: none"> <li>SR 85 southbound between Fremont Boulevard and Homestead Road in the PM peak hour; and</li> <li>SR 237 eastbound east of N. First Street in the PM peak hour.</li> </ul> <p>Under the 2020 Project Conditions scenario, these ten segments would be subject to a downgrading of freeway segment operation from LOS E to LOS F due to the addition of the project trips, or where the freeway segment is already operating at LOS F under the Existing Conditions or the 2020 No Project scenario and the project trip increment) is greater than 1 percent of the freeway segment design capacity. The project would therefore have a <b>potentially significant impact</b> on the operation of these freeway segments.</p>	<p>r possibility that the <i>Countywide Deficiency Plan</i> and associated improvements may not be adopted or otherwise implemented, this impact to the freeway system is considered <b>significant and unavoidable</b>. As a member agency of the VTA Congestion Management Program, the City of Sunnyvale is participating in the development of the <i>Countywide Deficiency Plan</i> and associated improvements, and will continue in this role as a means to support mitigation of project impacts.</p>			
<p><b>Impact 7-2: Impacts on Freeway Segments (Project or No Project Conditions).</b> Additional freeway segments would be subject to significant impacts due to projected 2020 traffic volume conditions <b>with or without</b> the project. These freeway segments are identified in bold type in Tables 7.10 and 7.11 herein. Under year 2020 cumulative conditions <b>with or without</b> the</p>	<p>S</p>	<p><b>Mitigation 7-2:</b> Provision of one additional travel lane along these freeway segments would reduce cumulative operational impacts under the 2020 Project Conditions scenario to a less than significant level. However, widening of these freeway segments would require substantial right of way acquisition and other costs significantly greater than the funding</p>	<p>City</p>	<p>LS</p>

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
project, these identified freeway segments would be subject to a downgrading of freeway operation from LOS E to LOS F, or where the freeway segment is already operating at LOS F under the Existing Conditions scenario, a traffic volume increase which is greater than 1 percent of design capacity. Either effect would represent a <b>potentially significant cumulative impact</b> on freeway operations.		constraints for freeway expansion in Santa Clara County, and is therefore considered infeasible. In anticipation of such cumulative freeway impacts, and consistent with State law, the Santa Clara Valley Transportation Authority is currently preparing a <u>Countywide Deficiency Plan</u> which will identify offsetting improvements and other measures for CMP freeway impacts on a regional basis. The VTA, in conjunction with its Countywide Deficiency planning program, is also undertaking freeway corridor studies of Routes 237, 85, and 101 which will identify improvements for programming of anticipated State, Federal, and regional transportation funds. These funds are identified as "constrained" in VTA's <i>Valley Transportation Plan 2020</i> (the regional transportation plan for Santa Clara County), meaning that there is a reasonable likelihood of receiving funds and constructing improvements within the lifetime of the project (the updated Downtown Improvement Program). The VTP 2020 is updated every three years to assure that improvement and funding assumptions remain current. However, given the possibility that the <i>Countywide Deficiency Plan</i> and associated improvements may not be adopted or otherwise implemented, this impact to the freeway system		

S = Significant  
LS = Less than significant  
SU = Significant/unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<p><b>Impact 7-3: Impacts on Intersections (Project Conditions).</b> The 2020 Project Conditions scenario (Scenario 3)--i.e., the addition of project-related traffic to the anticipated 2020 No Project Conditions (Scenario 2)--would result in a significant operational (level of service) impact at the following intersection:</p> <ul style="list-style-type: none"> <li>El Camino Real and Sunnyvale Avenue: a change in LOS from D- to E+ in the AM peak hour.</li> </ul> <p>The project would therefore have a <b>potentially significant impact</b> at this location.</p>	S	<p>r is considered <b>significant and unavoidable</b>. As a member agency of the VTA Congestion Management Program, the City of Sunnyvale is participating in the development of the <i>Countywide Deficiency Plan</i> and associated improvements, and will continue in this role as a means to support mitigation of project impacts.</p> <p><b>Mitigation 7-3.</b> Adjust the signal cycle lengths. The resulting LOS would be C- during the AM peak hour. Implementation of this measure would therefore reduce the project impact to a <b>less-than-significant level</b>.</p>	City	LS
<p><b>Impact 7-4: Impacts on Intersections (Project Condition or No Project Condition).</b> Additional intersections would be impacted from</p>	S	<p>r <b>Mitigation 7-4.</b> For impacts at the intersections of El Camino Real and Hollenbeck Avenue and El Camino Real and Sunnyvale Avenue, adjust</p>	City	LS/SU

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable



S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
	r	The intersection of Mary Avenue and Central Expressway is identified in this EIR traffic analysis as operating at LOS F in the AM and PM peak hours under the No Project and Project Condition scenarios. This intersection is within the jurisdiction of the County of Santa Clara. The County recently completed its own analysis of future conditions at this location for its <i>Comprehensive County Expressway Planning Study and Implementation Plan</i> . The County, using a different forecasting methodology considered more appropriate for forecasting conditions on major regional transportation facilities such as Central Expressway, determined that this location would operate at LOS E under 2025 conditions. As the responsible agency for Central Expressway, the County's forecasts are applicable for determining future improvements at this location. The <i>Comprehensive County Expressway Planning Study and Implementation Plan</i> includes future at-grade or grade separation improvements at Central Expressway and Mary Avenue to address forecasted operating issues, which would mitigate the level of service deficiency identified under this Impact 7-4 to a <b>less-than-significant level</b> , even though the		

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
	r	<i>Comprehensive County Expressway Planning</i>		
	r	<i>Study and implementation Plan</i> indicates that		
	r	local and regional level of service standards are		
	r	not forecast to be violated at this location.		
		The intersection of De Anza Boulevard and Homestead Road is within the jurisdiction of the City of Cupertino. Provision of an additional southbound through lane and signal cycle length adjustment at this CMP intersection would result in LOS F operation during the PM peak hour. However, previous discussion with the City of Cupertino indicates that this improvement is		

S = Significant  
LS = Less than significant  
SU = Significant unavoidable impact  
NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<ul style="list-style-type: none"> <li>▪ Mary Avenue and Central Expressway: a change from LOS D to F in the AM and PM peak hour,</li> <li>▪ Mary Avenue and Evelyn Avenue: a change from LOS C- to E- in the PM peak hour,</li> <li>▪ Mary Avenue and El Camino Real: a change from LOS D to F in the PM peak hour, and</li> <li>▪ El Camino Real and Hollenbeck Avenue: a change from LOS D- to E+ in the AM peak hour.</li> </ul> <p>These deteriorations in intersection operation would represent a <b><i>potentially significant cumulative impact</i></b>.</p>		considered infeasible. Therefore this particular cumulative intersection impact is considered to be <b><i>significant and unavoidable</i></b> .		
NOISE				
Impact 9-1: Potential Exposure of New, Project-Facilitated Office, Retail, Public Facility, Residential, and Open Space Development to Excessive Environmental Noise. Project-facilitated office, retail, public	S		City	LS
		Mitigation 9-1: To mitigate potential traffic noise impacts on project-facilitated office and retail development adjacent to El Camino Real and Mathilda Avenue, noise attenuation features shall be incorporated into the design of new office and		

S = Significant  
 LS = Less than significant  
 SU = Significant unavoidable impact  
 NA = Not applicable

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
<b>Impact 10-2: Long-Term Regional Emissions Increases.</b> Future traffic increases under the project-facilitated development scenario would generate regional emissions increases which would exceed the applicable thresholds of significance for reactive organic gases (ROG), nitrous oxide (NO <sub>x</sub> ), and particulate matter (PM <sub>10</sub> ). This effect is considered to be a <b>significant project and cumulative impact</b> .	S	<b>Mitigation 10-2:</b> Apply the following emissions control strategies where applicable to project-facilitated discretionary residential and commercial development activities within the project area in order to reduce overall traffic generation: <ul style="list-style-type: none"> <li>Where practical, future development proposals shall include physical improvements, such as sidewalk improvements, landscaping and the installation of bus shelters and bicycle parking, that would act as incentives for pedestrian, bicycle and transit modes of travel.</li> <li>New or modified roadways should include bicycle lanes where reasonable and feasible.</li> <li>Where practical, employment-intensive development proposals (e.g., office, retail, R&amp;D) shall include measures to encourage use of public transit, ridesharing, van pooling, use of bicycles, and walking, as well as to minimize single passenger motor vehicle use.</li> <li>Office land uses would generate home-to-work commute trips that are most amenable</li> </ul>	City	r

S = Significant  
 LS = Less than significant  
 SU = Significant unavoidable impact  
 NA = Not applicable

Table 2.3

ALTERNATIVES COMPARISON: DEVELOPMENT POTENTIAL AND MAX. BLDG. HEIGHT

<u>Land Use/Max. Building Height</u>	<u>Existing Conditions</u>	<u>Proposed Project</u>	<u>Alt. 1: 1993 Specific Plan</u>	<u>Alt. 2: Reduced Development</u>	<u>Alt. 3: Modified Land Uses</u>	<u>Alt. 4: Multi-Use</u>
Residential (Units)	850	2,520	1,760	2,073	2,137	1,725
Office (sq. ft.) <sup>1</sup>	329,550	1,272,190	1,039,440	1,145,470	999,911	796,632
Retail (sq. ft.)	1,330,910	1,447,550	1,508,780	1,447,550	1,447,670	1,032,303
Theater (seats)	0	0	2,280	0	0	3,230
Hotel (rooms)	155	0	208	0	0	0
Multi-Use (sq. ft.)	0	0	0	0	0	635,600
Public Facility (sq. ft.)	0	12,240	12,240	12,240	12,240	12,240
r Max. Bldg. Height (ft.) <sup>2</sup>	30-50	30-100	30-125	30-75	30-75	30-46

SOURCE: City of Sunnyvale Community Development Department; Wagstaff and Associates

<sup>1</sup> The Mozart development (450,000 sq. ft. of office and 10,000 sq. ft. of retail/restaurant/entertainment) was under construction at the time preparation of this EIR commenced (Fall 2002). Since the potential environmental impacts of that development's long-term operation (e.g., project-generated traffic, noise and air emissions associated with project-generated traffic, public service and utility needs, etc.) have not yet become part of existing environmental conditions, the Mozart development has been included in "development potential" and not in "existing" conditions. The specific environmental impacts of the Mozart development were addressed in the Block 1 Office/Retail Project Initial Study/Mitigated Negative Declaration (February 2000).

r <sup>2</sup> Max. bldg. height figures refer to all subdistricts except #1, the recently completed Mozart development, which includes buildings up to 106 feet tall (5 to 6 stories). For Alt. 1, a maximum building height of 125 feet is permitted in subdistrict 1a, the Town and Country site. For Alt. 4, max. building heights also exclude possible 100-foot tall stage block portion of the performing arts center.

Table 2.4

**ALTERNATIVES COMPARISON: ENVIRONMENTAL IMPACTS IN COMPARISON TO THE PROPOSED PROJECT**

<u>Impact</u>	<u>Proposed Project</u>	<u>Alt. 1: Current Specific Plan</u>	<u>Alt. 2: Reduced Development</u>	<u>Alt. 3: Modified Land Uses</u>	<u>Alt. 4: Multi-Use</u>
Land Use	No significant impacts	No significant impacts	No significant impacts	No significant impacts	No significant impacts
Aesthetics	Significant bldg. scale and light/glare impacts	Reduced bldg. scale and light/glare impacts	Reduced bldg. scale and light/glare impacts	Similar bldg. scale and light/glare impacts	Reduced bldg. scale and light/glare impacts
Transportation and Parking <sup>1</sup>	Significant AM and PM intersection and freeway impacts	Less AM and greater PM impacts	Less AM and less PM impacts	Less AM and less PM impacts	Less AM and less PM impacts
Public Services and Utilities	No significant impact	Similar impacts	Less impact	Less impact	Less impact
Noise	Significant construction and long term impacts	Similar impacts	Similar impacts	Similar impacts	Similar impacts
Air Quality <sup>1</sup>	Significant construction and long term impacts	Similar impacts	Similar impacts	Similar impacts	Similar impacts
Drainage and Water Quality	Significant water quality impacts	Similar impacts	Similar impacts	Similar impacts	Similar impacts
Soils and Geology	Significant soil stability impacts	Similar impacts	Similar impacts	Similar impacts	Similar impacts
Hazards and Hazardous Materials	No significant impacts	No significant impacts	No significant impacts	No significant impacts	No significant impacts
Biological Resources	No significant impacts	No significant impacts	No significant impacts	No significant impacts	No significant impacts
Cultural and Historic Resources	Significant impacts	Similar impacts	Similar impacts	Similar impacts	Similar impacts

SOURCE: Wagstaff and Associates, 2003.

<sup>1</sup> The proposed project and all identified alternatives would result in significant unavoidable transportation and air quality impacts. For all other environmental categories, all potentially significant impacts can be reduced to less-than-significant levels by implementing the mitigation measures identified in this EIR.

NOTE: Alternatives 5 (Modified Redevelopment Activities) and 6 (Modified Improvement Program Boundaries/Redevelopment Plan Boundaries) involve fundamental revisions to the proposed project definition which preclude quantitative comparisons; therefore, these two alternatives are not included in the table.

d. The Sunnyvale Municipal Code amendments, including amendments to the Precise Zoning Plan/Zoning District Map, chapter 19.28 (Downtown Specific Plan District) and chapter 19.80 (Design Review) necessary to achieve consistency with the proposed Downtown Specific Plan amendments and Sunnyvale General Plan amendments;

r e. The Downtown Redevelopment Plan Amendments Preliminary Report, which will be prepared as part of the Redevelopment Plan amendment process subsequent to certification of this Final EIR, and will describe the need for the Redevelopment Plan amendments, the revised redevelopment activities proposed, the anticipated effect of these revised activities in alleviating blight and related economic problems in the Downtown Redevelopment Area, and a preliminary assessment of financing methods for the proposed redevelopment activities;

r f. The Downtown Redevelopment Plan amendments, which will be prepared as part of the Redevelopment Plan amendment process subsequent to certification of this Final EIR, in the form of a legal document that sets forth the changes to the Redevelopment Agency's continued and additional powers and authorities in the Downtown Redevelopment Area;

r g. The Redevelopment Plan Amendments Final Report to the City Council, which will be prepared as part of the Redevelopment Plan amendment process subsequent to certification of this Final EIR, and will describe the need to adopt the Redevelopment Plan amendments and the process followed by the Agency towards adoption of the amendments; and

r h. The Amended Redevelopment Implementation Plan, which will be prepared as part of the Redevelopment Plan amendment process subsequent to certification of this Final EIR, and will describe the specific redevelopment actions proposed by the Agency under the proposed Redevelopment Plan amendments, including the program of redevelopment actions and expenditures proposed for the first five years of Redevelopment Plan amendment implementation. The Amended Redevelopment Implementation Plan will also describe how these redevelopment actions will continue to alleviate documented blighted conditions in the Redevelopment Area, and indicate how the Agency will continue to expend its housing set-aside fund. The Amended Redevelopment Implementation Plan must be updated every five years.

### **3.12.2 Required Public Review and Approval Process**

Public hearings will be held by the City of Sunnyvale Planning Commission, City Council and Redevelopment Agency on the various components of the proposed Downtown Improvement Program Update listed under subsection 3.12.1 above. The results of this public review process will then be considered by the Planning Commission, City Council and Redevelopment Agency prior to adopting the Downtown Specific Plan amendments and associated General Plan, Zoning Code, and Redevelopment Plan amendments, collectively referred to as the Sunnyvale Downtown Improvement Program Update (the "project").



### **3.13 INTENDED USES OF THE PROGRAM EIR**

This program EIR is an informational document designed to inform the Planning Commission, City Council, Redevelopment Agency, and general public of the environmental consequences of the proposed Downtown Improvement Program Update. The City of Sunnyvale is acting as

(b) Land Use Changes Proposed Outside the Downtown Design Plan Study Area. In addition to the areas which are within the *Downtown Design Plan* boundary, the proposed Downtown Improvement Program Update includes two areas which are outside the Design Plan study boundary, including: (1) the so-called "eastern adjacent sites" which have been added by City staff to the improvement program area subsequent to City Council approval in concept of the April 2002 Design Plan; and (2) portions of the adopted Downtown Redevelopment Plan boundary which extend south of Olive Avenue (the "South of Olive" area) (see Figure 3.4 in chapter 3 herein).

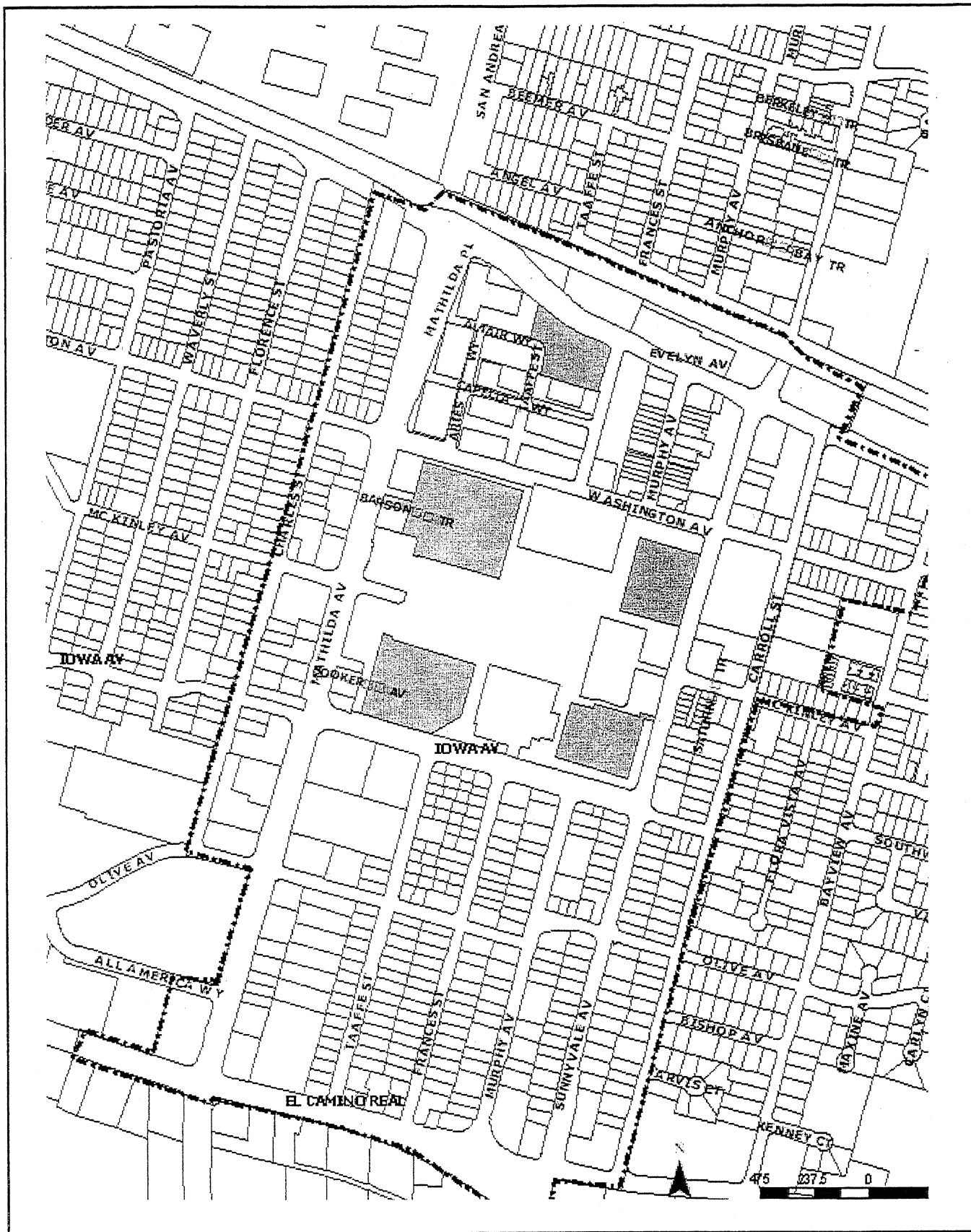
(c) Land Use Changes by Subareas. The land use changes proposed under the Downtown Improvement Program Update for each of these subareas are described below:

(1) *Town Center Mall District (subdistrict 18).* To improve the relationship of the external Mall edges to adjacent retail streets and maximize the existing Mall's potential for increased regional retail draw, the *Downtown Design Plan* recommends provision of retail sites along Washington Avenue and along a proposed extension of Murphy Avenue adjacent to the Mall, in addition to the currently planned expansion of mall regional retail, cinema, and entertainment uses. The *Design Plan* also recommends enhancing the existing Mall's outdoor gardens by removing public area roofs, creating more internal connections, and creating a larger, enhanced food court. In addition, the Plan proposes the addition of up to 200 multi-family units and required parking, with up to 100 units above the new retail on Washington Avenue and up to 100 units on Iowa Avenue beginning at ground level.

(2) *North of Washington District (subdistricts 1 and 1a).* The *Design Plan* identifies this district, together with the Murphy Avenue Heritage District (below), as the central place of the downtown. The *Design Plan* states that this district provides an important opportunity for mixed-use development in the downtown, including potential live-work uses. As shown in Table 3.1 in Chapter 3 herein, new land use and zoning designations are proposed by the Design Plan for subdistrict 1a to allow for high-density residential development (i.e., zoning code densities from 60 to 120 d.u./acre.

(3) *Murphy Avenue District (subdistrict 2 plus the railroad corridor).* This area includes the General Plan-designated Murphy Station Landmark District, the City's historic main street, and contains the greatest existing concentration of restaurants and entertainment activities in the downtown. No change in the current Downtown Specific Plan land use designation for this district (Retail/Restaurant/Entertainment) is proposed (see Table 3.1). *Downtown Design Plan* recommendations for this district are limited to maintenance of entertainment uses and modest increases to restaurant, retail, and second floor office uses.

(4) *Sunnyvale/Carroll District (subdistricts 3, 4 and 5 plus unnumbered multi-family residential).* The *Design Plan* promotes the transformation of the Sunnyvale/Carroll district from a predominantly service commercial and low-density residential to a predominantly high-density mixed use residential precinct. The Design Plan calls for a continuation of high-density residential and retail designations development near the CalTrain station (subdistricts 4 and 5)



SOURCE: City of Sunnyvale

Revised Figure 4.5

## CENTRAL CORE REDEVELOPMENT PLAN BOUNDARY

associated intersecting streets (e.g., Murphy Avenue, Frances Street, Aries Way, McKinley Avenue, and Taaffe Street). The uniform facades and continuous roof design of the mall structure create long, high-mass frontages along Washington and Iowa Avenues. The collection of intervening "pad" buildings and surface parking areas along the Mathilda and Sunnyvale Avenue frontages appear monumental and outsized in contrast to the smaller-scale, more conventional pattern of predominantly one-and-two-story commercial and residential building types which exist on the opposite sides of these downtown streets. These disharmonious street relationships are softened by mature street landscaping, but nonetheless continue to detract from the original pedestrian orientation and historic identity of the Sunnyvale downtown.

(b) North of Washington District. The North of Washington district (subdistricts 1 and 1a on Figure 3.4) has a built environment characterized by new mid-rise commercial developments, including the recently completed Mozart Office Development (five-to-six-stories) and the one-to-two-story Town and Country Village Shopping Center complex. The Mozart office development is particularly distinctive visually; the visually prominent five- to six-story office buildings have created a new visual landmark and gateway element at the northwest corner of the project area. Evelyn Avenue Plaza is also located in this area, providing a visually distinctive urban open space element

(c) Murphy Avenue District. This district (subdistrict 2) includes the City-designated Murphy Station Landmark District, including the Sunnyvale train station area north of Evelyn Avenue. These visually distinctive areas represent the only parts of Sunnyvale's historic downtown that were not razed during the urban renewal activities of the 1960s and 1970s.

The Murphy Avenue District includes Sunnyvale's original Main Street. The original intimate scale and pedestrian character of the Murphy Avenue streetscape, including its many historic "Main Street" building facades, have been recognized and preserved through creation of the Murphy Station Landmark District. The Murphy Station Landmark District has protected status under the City's Heritage Preservation Ordinance (Chapter 19.80 of the Sunnyvale Municipal Code). Under the ordinance provisions, any alteration of buildings within the district must be visually consistent with the historic character of the building and district.

Murphy Avenue has recently been upgraded by the City with special paving, light fixtures, street furniture, and landscaping, consistent with a set of City-adopted Murphy Avenue Design Guidelines. The avenue contains a variety of visually interesting specialty shops, commercial services uses, entertainment uses, and restaurants. Lots are narrow and shops front directly onto the sidewalk. Most buildings are low rise, one- to two-story shops, and many have awnings. Street trees along the avenue are mature and the streetscape is embellished with street furniture and plantings.

- r The Sunnyvale CalTrain station is located north of Evelyn Avenue. The station was recently converted into a "multi-modal" facility (2000). A parking garage, pedestrian bridge, and

The mix of commercial uses along Mathilda tends to be auto-oriented, and includes a Denny's Restaurant and a mix of financial and real estate operations including Bank of the West, Washington Mutual, Bank of America, and Coldwell Banker. A landscaped median along the route has been planted with a consistent row deciduous trees. Sidewalk street trees on either side of the route are inconsistent.

(h) South of Olive Avenue Subarea. This area, which includes new subdistrict 20 as well as the southern portion of the Downtown Redevelopment Area between Olive Avenue and El Camino Real, (including the Taaffe/Frances Heritage Housing District), also encompasses the Mathilda Avenue and El Camino Real frontages. These frontages are lined with a wide variety of land uses, lot sizes, setbacks, building facades, building heights, and frontage treatments. The El Camino Real frontage includes low-rise, auto-oriented commercial uses with streetfront parking. El Camino Real here is a six-lane state highway with a strip commercial visual character. El Camino Real has an inconsistent pattern of median landscaping and street trees.

#### **5.1.5 Edges**

Existing visual characteristics along the "edges" surrounding the project area are described below:

*To the North:* Large-lot, low-rise industrial uses are located in the adjacent area north of the project area, west of Mathilda Avenue. Low- and medium-density residential uses are located immediately north of the CalTrain tracks between Mathilda Avenue and Sunnyvale Avenue. The area north northeast of Sunnyvale Avenue is characterized by low-rise, large-lot industrial uses with surface parking.

*To the West:* The adjacent area west of the project area (west of Charles Street) is mainly comprised of single family, low- to medium-density single family residential uses. The Sunnyvale Civic Center is also located immediately west of the southwest corner of the project area, comprised of a 70s era campus of low-rise (one-story) buildings with associated surface parking, landscaping and outdoor areas.

*To the East:* Areas immediately east of the project area are mainly comprised of low-density single-family houses. One newer multi-family, medium-density residential complex is located between Lincoln Avenue and Hendy Avenue.

*To the South:* Immediately south of the project area, on the southern side of El Camino Real, is the recently constructed Olson Cherry Orchard mixed-use project, which includes 71,600 square feet of retail uses at the corner of El Camino Real and Mathilda Avenue, as well as 300 residential units in a four-story, multi-family residential complex. The remainder of the area south of El Camino Real is comprised of low-rise commercial and office uses with streetfront surface parking.

- (c) substantially degrade the existing visual character or quality of the site and its surroundings; or
- (d) create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. "Glare" is defined by the City of Sunnyvale as the reflection of harsh bright light sufficient to cause physical discomfort or loss in visual performance and visibility.

The project area is not traversed by or adjacent to a state scenic highway. (El Camino Real is a state highway, but not a designated state *scenic* highway.) Therefore, criterion (b) would not be applicable to this project.

### **5.3.2 Proposed Project Visual Improvement Goals and Actions**

The *Downtown Design Plan* component of the proposed Downtown Improvement Program Update includes the following overall recommendations pertaining to project area visual factors and aesthetic improvement:

- Improve the street character of boulevards, avenues and streets;
- Improve and build upon existing assets; and
- Create a sense of arrival and address.

To achieve these basic aesthetic goals, an extensive set of detailed new or revised Design Plan policies, standards, and guidelines, are proposed in the August 2002 *Downtown Design Plan* for implementation in the form of amendments to the Downtown Specific Plan, General Plan and Zoning Code (as described in sections 3.5, 3.6, 3.7, and 3.8 of this EIR, respectively). The potential aesthetic impacts of these amendments and the associated year 2020 project area growth scenario are described below.

### **5.3.3 Impacts and Mitigation Measures**

**Impact 5-1: Potential Adverse Visual Impacts of Mathilda Corridor Intensification.** The project includes an increased emphasis on taller buildings along the Mathilda Avenue corridor. The proposed land use designation and development standard revisions for the eastern side of Mathilda would permit construction of buildings which are significantly taller and larger than existing development in the area (with the exception of the recent Mozart Office Building).

**(continued)**

**Impact 5-1 (continued):**

Mathilda is a primary downtown visual corridor with strong effects on the image of the downtown and the community. The taller buildings could dramatically change the look and image of the downtown, creating a more dense (and cohesive) visual character along this primary downtown and community gateway. The height, scale, and appearance of the up to 100-foot tall, five- to six-story maximum building height allowances proposed along the eastern side of Mathilda between Washington Avenue and El Camino Real (subdistricts 13, 18a, and 20) could be perceived as visually incompatible with existing lower intensity (one- to four-story) development in the adjacent areas (subdistricts 1a, 13a, and the South of Olive Avenue area). The August 2002 *Downtown Design Plan* recommends specific additional development standards and design guidelines to ensure the visual compatibility of the taller buildings. If the specific design details of future buildings and other development components on the eastern side of Mathilda (such as street landscaping, sidewalk paving, etc.) do not adequately incorporate these *Downtown Design Plan*-recommended standards and guidelines, and urban design guidelines set forth in the 1993 Downtown Specific Plan for tall buildings on Mathilda, the project could result in a ***significant adverse visual impact***.

r Project impacts on various street corridors identified as visually important "identity" elements  
r in the General Plan and 1993 Specific Plan have been given special consideration in making  
r this impact finding, including both north-south corridors (Mathilda Avenue and Sunnyvale  
r Avenue) as well as east-west corridors (Washington Avenue, Iowa Avenue, and El Camino  
r Real). These routes are principal vantage points where the visual impacts of the project will  
r be most clearly perceived. This impact concern includes both north-south and east-west  
r views, and the possibility of perceived visual incompatibilities with existing lower intensity  
r (one- to four-story) development in adjacent areas and residential neighborhoods.

r This impact concern includes potential project effects on views from numerous surrounding  
r vantage points and perspectives, including the "edges surrounding the project area" (see  
r subsection 5.1.5, Edges).

r Compared to the current Downtown Specific Plan, the Downtown Improvement Program  
r Update proposes both decreases in maximum allowable building heights in some portions of  
r downtown Sunnyvale (subdistricts 1a, 4, 5, 6, 13a, and 17), which are within or adjacent to  
r existing residential neighborhoods; and increases in maximum allowable building heights in  
r other portions (13, 18a and 20), which are on the east side of Mathilda Avenue, adjacent to  
r existing multifamily residential and commercial development. Draft EIR Table 18.2  
r (Alternatives Comparison: Changes in Development Totals–Incl. Existing) summarizes  
r these comparisons.

**Mitigation 5-1:** Implement the following measures to mitigate the potential adverse visual impacts of the project related to the Mathilda Avenue District:

(1) Include in the proposed amendments to the 1993 Downtown Specific Plan pertinent design guidelines currently included in the Specific Plan for tall buildings in the North of Washington District (subdistrict 1), revised to also apply to tall buildings on Mathilda Avenue south of Washington Avenue (subdistricts 13, 18a and 20), including guidelines pertaining to "Roof Treatment," "Building Materials & Colors" and other architectural details (see below).

(2) During the City's design review process and other development review procedures for future individual development applications involving properties along the eastern side of Mathilda south of Washington (i.e., within subdistricts 13, 18a and 20), place particular emphasis on ensuring that the development design:

(a) is consistent with the following provisions and recommendations of the April 2002 *Downtown Design Plan*:

- the "Street Character" provisions on page 40,
- the "Urban Design Plan" Land Use provisions on pages 52 and 53,

**(continued)**



**Mitigation 5-1 (continued):**

- the "Building Setback/Build-to Requirements" on pages 56-57, and
- the "Design Guidelines" for the "Mathilda Avenue District" on pages 72-77; and

(b) includes features (e.g., common landscaping, street furniture, sidewalk and pavement treatments) that visually unify the development frontage on the eastern side of Mathilda with the western side of Mathilda;

Implementation of these measures through the City's existing design review process would reduce this impact to a ***less-than-significant level***.

The 1993 Downtown Specific Plan (pages 50 through 55) contains building design guidelines formulated specifically to address anticipated high mass, up-to-125-foot-high office development in the North of Washington District (Block 1--the Mozart site). With the current *Downtown Design Plan*-recommended continuation of similar high-mass office development (up to 100-feet high/five- to six stories) southward along the eastern side of Mathilda, many of the urban design concepts set forth in the 1993 Downtown Specific Plan for the North of Washington District (Block 1) could be modified in the amended Specific Plan to apply to subdistricts 13, 18a and 20. The following are example adaptations of 1993 Downtown Specific Plan guidelines for Block 1 to apply to subdistricts 13, 18a and 20:

**Roof Treatment:**

- *Roof forms shall follow similar lines and support building massing and height transition from Mathilda Avenue to adjacent areas. (Downtown Specific Plan, page 50)*
- *No exterior wall reflective glass shall be used for commercial buildings in this area. (Downtown Specific Plan, page 53)*
- *Masonry materials with strong vertical articulation (as opposed to strip horizontal window treatment) shall be used to convey quality building materials and permanence typical of Class A landmark office buildings. (Downtown Specific Plan, page 53)*
- *First floor horizontal building lines should be continuous from building to building (e.g., reveals, cornice treatments, or other horizontal treatments signifying the delineation between the first and second floor). (Downtown Specific Plan, page 53)*

- *Vertical organization of window widths shall be proportional from floor to floor and building to building in a well-organized geometric symmetry. (Downtown Specific Plan, page 53)*
- *Building colors shall follow a coordinated palette without clashing in contrast and hue. (Downtown Specific Plan, page 53)*

Building Materials and Colors:

- *Building colors should complement one another. Earth tones, greys, pink granite, and off-white colors should be the palette for building exteriors. (Downtown Specific Plan, page 53)*
- *Glass used at building exteriors should be non-reflective and tinted only to the extent that is required for energy efficiency. Strip or ribbon glass window treatments should be avoided. (Downtown Specific Plan, page 53)*
- *Multi-storied buildings should express strong vertical and horizontal lines, rather than a "layered cake" visual appearance. (Downtown Specific Plan, page 53)*

Other Architectural Details:

- *The pedestrian atmosphere should be enhanced to the greatest degree possible. (Downtown Specific Plan, page 54)*
- *Building entries and lobbies should be clear and attractive, using large areas of clear glass, rich masonry materials, and strong architectural detailing at the ground floor level. (Downtown Specific Plan, page 54)*

Project consistency with such guidelines would need to be confirmed through the City's design review process.

---

**Beneficial Impacts on the General Visual Character of the Project Area.** With the exception of potential adverse Mathilda Avenue District visual impacts described above, public improvements, private property rehabilitation, development of vacant and underutilized parcels, and other activities associated with the Downtown Improvement Program would be expected to improve the general visual quality of the project area and foster an improved overall community image and identity. One of the goals of the proposed *Downtown Design Plan* is to "create a framework to link current and future downtown projects into a vibrant, cohesive place."<sup>1</sup> To that end, the recommendations for land use changes, streetscape improvements, open space

---

<sup>1</sup> *Sunnyvale Downtown Design Plan*, p. 9.

improvements, street extensions, and changes in development standards (i.e., building height, setbacks, etc.) contained in the August 2002 *Downtown Design Plan*, if effectively implemented, would improve the overall visual environment in the project area.

The *Downtown Design Plan* recommends specific methods for ensuring that visual transitions between more intense newer central area development and existing development are smooth (e.g., stepping down building heights and densities, etc.). In addition, the Redevelopment Plan amendments component of the project would serve as an implementation and financing tool for the proposed Update, with its own central area rehabilitation and visual improvement effects.

Such project-related improvement to the overall aesthetic environment in downtown Sunnyvale, if effectively implemented, would represent a **beneficial visual impact**.

**Mitigation:** No significant adverse impact is identified; no mitigation is required.

---

**Impacts on Project Area Visual Gateways.** The anticipated project-facilitated growth scenario would have the following potential visual impacts on identified primary visual "gateways" into the project area:

- *North End of Mathilda at Washington Avenue.* This southbound gateway has already been significantly affected by the recently completed Mozart development, which replaced surface parking lots in subdistrict 1 with a five- to six-story high-mass office building edge along Mathilda Avenue, "producing dramatic, positive changes in the visual character of the Mathilda Avenue and Washington Avenue streetscapes by adding visual interest and establishing a stronger 'downtown' image along these view corridors."<sup>1</sup>

However, with introduction of this visually prominent development, there is now an abrupt, visually undesirable change in frontage scale and intensity from the new five- to six-story Mozart development in subdistrict 1 on the northern side of Washington to the existing one- to two-story commercial "pad" frontage in subdistrict 18a on the south side of Washington--i.e., the Chevy's Restaurant/office building, surface parking, and circular Bank of the West building. This visually abrupt change in frontage character will be partially, but not completely, offset by the planned Town Center Mall modifications, which include the proposed construction of new two-story, reduced-setback mall structures immediately north and south of McKinley. When complete, these Town Center Mall modifications will create a more consistent (less interrupted) Mathilda frontage. However,

---

<sup>1</sup>City of Sunnyvale, *Initial Study/Mitigated Negative Declaration for the Block 1 Office/Retail Project*, February 2000; page 19.

r the existing two-story Chevy's Restaurant/office building, the adjacent two-story office building to the south, and the circular Bank of the West building on Iowa Avenue, will not be affected by the planned mall modifications program. If implemented, the *Downtown Design Plan* recommendations could have a *beneficial visual effect* on this segment of Mathilda by permitting additional future intensification, including construction of buildings up to 100 feet (six stories) high at the "Chevy's" corner property at Mathilda and Washington, strengthening the north-south gateway effect and improving the visual transition here between the new five- to six-story Mozart frontage and the two-story Town Center Mall frontage.

In addition, on the opposite, western side of northern Mathilda (subdistricts 16 and 17), the *Downtown Design Plan* recommends intensification of the existing mix of one- to two-story strip commercial/residential frontages to create a more distinctive and consistent, up to 50-foot (four-story), "High-Density Housing" (27 units/acre maximum) residential frontage along Mathilda, stepping down to lower densities and building heights (two-story maximum) on the Charles Street frontage. Such a redevelopment scenario, if achieved, would have additional *beneficial visual effects* on the northern Mathilda Avenue "district gateway."

- *South End of Mathilda at El Camino Real.* The 1993 Specific-Plan-identified southbound gateway at the southern end of Mathilda in subdistrict 20 currently includes a mix of low-rise, one- and two-story, auto-oriented commercial uses, with some street-front parking. The *Downtown Design Plan* recommends treatment of Mathilda at El Camino Real as a north-south "Downtown Gateway," calling for "enhanced design treatments" at such gateways, "such as special crosswalk pavements and special light poles" (Design Plan page 42). The Design Plan would also permit intensive office development along this Mathilda frontage (subdistrict 20) with a height limit of 100 feet (six stories). These Design Plan provisions, if realized, would create a more visually distinctive and dramatic southern gateway--i.e., would result in a *beneficial visual impact*.

**Mitigation.** No adverse impacts on project area visual gateways have been identified; no mitigation is necessary.

---

**Impacts on Project Area View Corridors.** As described in subsection 5.1.3 of this EIR chapter, the 1993 Specific Plan states that the primary view corridors affecting, and currently detracting from, the visual character of Sunnyvale's downtown area are the Mathilda Avenue corridor and El Camino Real corridor. Minor project area view corridors identified in the 1993 Specific Plan include Sunnyvale Avenue, Olive Avenue, Iowa Avenue, and Washington Avenue. The anticipated impacts of the proposed project on visual conditions along these corridors is described below:

(a) General Impacts on Project Area View Corridors. The proposed project would significantly alter the streetscape within the various 1993 Specific Plan-identified view corridors

potential for regional retail draw, the proposed Design Plan does call for provision of retail sites along Washington Avenue, along a proposed extension of Murphy Avenue and on Mathilda Avenue adjacent to the mall (in the Mathilda Avenue district, subdistrict 18a). In addition to the ongoing mall expansion of regional retail, cinema, and entertainment uses, the proposed Design Plan recommends enhancing the mall's outdoor garden by removing public area roofs, creating more internal connections, creating a pedestrian connection to the proposed Murphy Street extension, and creating a larger, enhanced food court. Such project-facilitated design refinements, if effectively implemented, would serve to better integrate the mall visually with surrounding existing and planned downtown development, representing a *beneficial visual impact*.

r (2) *North of Washington District (subdistricts 1 and 1a plus additional areas)*. The proposed Design Plan states that this district provides an important opportunity for mixed-use development in the downtown, including potential live-work uses. New land use and zoning designations are proposed for subdistrict 1a to allow for high-density residential development (69 to 138 d.u./acre). The Design Plan calls for a 100-foot/8-story height limit in subdistrict 1a and a 100-foot/9-story limit in subdistrict 1. As a result, project-facilitated development in this district could ultimately have the highest densities and greatest heights proposed in the project area (except for the 100-foot/6-story office building envelope proposed in subdistrict 13, 18a and 20 along the eastern side of Mathilda Avenue). The changes in development controls proposed in the Design Plan for subdistrict 1a would be generally compatible with the adjacent Mozart development in subdistrict 1 and retail/grocery uses in subdistrict 3 with *less-than-significant* adverse visual impacts. The Design Plan also calls for improved street tree planting along Washington Avenue between Mathilda and Sunnyvale Avenues with an 11-foot to 13-foot wide landscaped median and pedestrian-scale light poles, which if implemented would have *beneficial visual impacts* on this district.

(3) *Murphy Avenue District (subdistrict 2 plus the railroad corridor)*. Design Plan recommendations for this district include maintenance of entertainment uses and modest increases to restaurant, retail, and second floor office uses. The Murphy Avenue Design Guidelines would also remain applicable to this district, which establish maximum building heights of 16 to 25 feet (or up to 36 feet with setback). Existing city regulations also require any building alterations to be in keeping with the historic character of the District. As a result, the proposed project would be expected to have a *less-than-significant* impact on this visually sensitive district. In addition, the Design Plan calls for improved street tree planting along Washington Avenue between Mathilda and Sunnyvale Avenues with an 11-foot to 13-foot wide landscaped median and pedestrian-scale light poles, which if implemented would also have *beneficial visual impacts* on this district.

(4) *Sunnyvale/Carroll District (subdistricts 3, 4 and 5 plus "eastern adjacent sites")*. The proposed Design Plan promotes the transformation of the Sunnyvale/Carroll District from a